

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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INDEPENDENT ASSET MANAGEMENT LLC) Case No. 1:07-cv-06431-JSR
and OLA HOLMSTROM,)
) ECF
)
)
Plaintiffs,)
)
vs.)
)
DANIEL ZANGER,)
)
Defendant.)
----- X

**DECLARATION OF MATTHEW E. SZWAJKOWSKI IN SUPPORT OF
DEFENDANT'S MOTION TO DISMISS THE COMPLAINT**

I, Matthew E. Szwajkowski, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am an associate at the law firm Jones Day, attorneys for defendant Daniel Zanger ("Defendant"). I submit this declaration to put before the Court true and correct copies of certain documents that are pertinent to the Defendant's Motion To Dismiss The Complaint.

2. Attached to this declaration, under the identified exhibit tabs, are true and correct copies of the following documents:

Exhibit A	Agreement between Mr. Daniel Zanger and Independent Asset Management, LLC, dated October 19, 2004
Exhibit B	Addendum Agreement between Mr. Daniel Zanger and Independent Asset Management, LLC, dated April 17, 2005

3. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 14, 2007
New York, New York

s/ Matthew E. Szwajkowski

CERTIFICATE OF SERVICE

The foregoing Declaration of Matthew E. Szwajkowski, dated September 14, 2007, and the exhibits annexed thereto, were served on the following counsel of record on September 14, 2007 via the method listed below:

E-Mail, Hand Delivery and Federal Express

John Balestriere
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s/ Matthew E. Szwajkowski
